

**MINUTES  
of the  
FOURTH MEETING  
of the  
TOBACCO SETTLEMENT REVENUE OVERSIGHT COMMITTEE**

**October 21, 2015  
Comprehensive Cancer Center, University of New Mexico  
Albuquerque**

The fourth meeting of the Tobacco Settlement Revenue Oversight Committee (TSROC) was called to order by Representative John L. Zimmerman, co-chair, on October 21, 2015 at 9:18 a.m. in the University of New Mexico (UNM) Comprehensive Cancer Center (CCC) in Albuquerque.

**Present**

Sen. Cisco McSorley, Co-Chair  
Rep. John L. Zimmerman, Co-Chair  
Rep. Gail Chasey  
Sen. John C. Ryan  
Rep. Monica Youngblood

**Absent**

Sen. John Arthur Smith

**Advisory Members**

Sen. Linda M. Lopez  
Rep. Jim R. Trujillo

Sen. Mary Kay Papen  
Rep. Patricio Ruiloba  
Rep. Don L. Tripp

**Staff**

Celia Ludi, Staff Attorney, Legislative Council Service (LCS)  
Douglas Carver, Staff Attorney, LCS  
Nancy Martinez, Intern, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

Handouts and other written testimony are in the meeting file.

**Wednesday, October 21**

**Welcome and Introduction**

Representative Zimmerman welcomed those in attendance and conducted introductions.

## **UNM Welcome and Update on Genomics**

Dr. Richard Larson, executive vice chancellor and vice chancellor for research, UNM Health Sciences Center (HSC), welcomed the committee and gave an overview of the role the UNM HSC plays in delivering health care services in the state, the training of health professionals and the center's contributions to the state's economy, working through a PowerPoint presentation provided to the committee. He discussed the differences between the role of the center and those of its marketplace competitors and other universities.

He noted that the UNM HSC is one of the few comprehensive cancer research centers in the country. The center needs to educate tomorrow's work force and conduct its research missions, yet it must also compete with private actors. The center has a particular responsibility to focus on the training and care needs of New Mexico. He noted the center's statewide reach through health extension rural offices, practice-based research networks, Project ECHO telemedicine and investigator-led community-based programs.

Dr. Larson explained how the tobacco settlement funds support tobacco-related research and clinical care at the center and how the cigarette tax supports clinical care, education and research. He gave an overview of the variety of tobacco-related illnesses and then discussed the various levels of financial support for the last decade and a half. Core projects supported by tobacco settlement funds include the New Mexico Poison and Drug Information Center (NMPDIC), the UNM Pediatric Hematology/Oncology Program and UNM HSC biomedical research, while instruction and general funds support specialty education trauma, specialty education pediatrics and general instruction.

Dr. Larson gave a brief overview of all of these areas. Dr. Larson then discussed how the UNM HSC has been able to leverage the dollars it has received from the tobacco settlement funds, focusing on how pilot funding becomes a mechanism for obtaining federal support and noting how pilot funding returns \$8.00 to \$20.00 per \$1.00 invested. He ran through some examples of areas of study that have benefited from the use of pilot funding. He also noted how some tobacco settlement funds were used to support core facilities that support the entire health sciences community, including especially biostatistics.

Dr. Larson discussed the tremendous economic impact that tobacco settlement funding and research funding helps to generate in the state and concluded by noting the threats to the tobacco settlement funding, especially from legal challenges by manufacturers, and the adverse impact that the loss of these funds would have on the state.

Members of the committee discussed and asked questions concerning funding support for the UNM HSC, the economic impact of the UNM HSC, targeted taxes to support the UNM HSC and how states can restrict Medicaid to in-state medical facilities. The committee requested that issues surrounding e-cigarettes, especially e-cigarette taxation, be discussed at the committee's next meeting to include a presentation by pharmacology experts and that Ms. Ludi prepare a bill on e-cigarette taxation for discussion at that meeting. Senator McSorley also requested that a

letter be prepared for his signature requesting that the Jobs Council hear a presentation from Dr. Larson on the economic impact of the UNM HSC.

### **UNM Cancer Center Update**

Dr. Cheryl Willman, director and chief executive officer, UNM CCC, gave an update on the UNM CCC, working through a PowerPoint presentation provided to the committee. She noted that New Mexico has had a cancer registry since it was established by law in 1968, providing a tremendous wealth of data on cancer in the state. She discussed the history and mission of the UNM CCC and the center's four main goals: 1) to provide outstanding cancer diagnosis and treatment to all New Mexicans; 2) to focus on the cancers that disproportionately affect the state's multiethnic and underserved populations; 3) to reduce the state's cancer burden and cancer health disparities; and 4) to train the next generation of cancer scientists and health care professionals, with particular focus on underrepresented minorities. Dr. Willman gave an overview of the UNM CCC's accomplishments and of its leadership team. She discussed the rise in colorectal cancer in the state and collaborations between the UNM CCC and the state's national laboratories. She explained to the committee what is required for an institute to be designated a national comprehensive cancer center and gave an overview of the UNM CCC's clinical programs and metrics and its research programs and clinical work groups.

Dr. Willman noted that the UNM CCC has been designated as the head of Region 3 of the National Cancer Institute Center to Reduce Cancer Health Disparities' geographical management regions. Region 3 includes California and Texas. This is a particularly high accolade for the UNM CCC and the state.

Dr. Willman discussed the UNM CCC's strategic plan, focusing particularly on the challenge in New Mexico of getting patients the care they need for their types of cancer. These challenges include the costs to get to the UNM CCC, the costs of housing and food once at the UNM CCC and the costs and concerns involved with being away from home for treatment. She discussed the impact of the federal Patient Protection and Affordable Care Act on these costs, noting the positive impact of increased insurance coverage but noting also that co-pays and co-insurance still pose financial difficulties for some and that insurance often will not cover newer drugs. Dr. Willman then discussed the completion of the UNM CCC, scheduled for October 2016, and the recruitment goals for the center. She concluded her presentation by discussing the participation of the UNM CCC in the Oncology Research Information Exchange Network, a program of tumor genome sequencing to target therapy.

Members of the committee discussed and asked questions concerning genome sequencing and transportation issues and access to the UNM CCC for residents of the state.

### **Tobacco Use in American Indian Communities**

Dr. Kevin English, director, Albuquerque Area Southwest Tribal Epidemiology Center (AASTECC), discussed tobacco use in American Indian communities in the state, working through a PowerPoint presentation provided to the committee. He noted that the AASTECC was part of a

consortium of 12 other tribal epidemiology centers in the state. He discussed the fact that there are often no data on health issues in the American Indian community. He then discussed in detail the Youth Risk and Resiliency Survey (YRRS), a biennial classroom-based survey of sixth to twelfth graders conducted in partnership among the Department of Health, the Public Education Department, the UNM Prevention Research Center and the AASTEC. The AASTEC has worked to ensure that the YRRS oversamples schools likely to have a significant population of American Indian students in order to ensure that data on American Indian students are captured by the survey. These data have allowed the AASTEC to publish in-depth reports on tobacco use in the state's American Indian communities. Dr. English discussed a variety of trends in cigarette use by American Indian youth in the state, including e-cigarette use and ceremonial tobacco use. He also discussed the data about tobacco use by adults in the American Indian community in the state, including metrics concerning pregnant women and postpartum use.

Members of the committee discussed and asked questions concerning the collection of survey data and when the newest results will be published.

#### **Update on Tobacco Cessation Programs Funded Through the Indian Affairs Department (IAD)**

Suzette Shije, deputy secretary, IAD, and Allie Moore, project manager, IAD, discussed the IAD's fiscal year (FY) 2015 tobacco cessation and prevention programs, working through a PowerPoint presentation provided to the committee. Deputy Secretary Shije noted that the IAD is the lead coordinating agency in state government for state-tribal government-to-government relations and stated that the IAD's mission is both to promote cessation and prevention of commercial tobacco use while also promoting cultural awareness of Native American traditional and ceremonial uses of tobacco. Ms. Moore discussed the IAD's grant program process, noting that tobacco settlement funds were initially allocated to the IAD in 2007, whereupon the department developed a grant program to reach and engage tribal communities. In 2011, the IAD switched from a noncompetitive grant program to a competitive program that required evidenced-based elements. She discussed the integration of evidence-based strategies into the grant process and gave the committee a four-year history of the grants awarded. She demonstrated how the IAD is one piece of a system of comprehensive commercial tobacco control in the state's tribal communities. Ms. Moore discussed the FY 2015 and FY 2016 funded programs, including the growth in tribal contributions to tobacco cessation programs. She gave the committee a breakdown of the reach and successes of the department's tobacco cessation programs and focused on outcomes in the Pueblo of Isleta, Kewa Pueblo, the Albuquerque Area Indian Health Board, the Pueblo of Tesuque, the Pueblo of Acoma, the Pueblo of Laguna, the Pueblo of Sandia and the Five Sandoval Indian Pueblos, Inc. She also discussed Indian Health Service (IHS) tobacco control activities, giving some details of the 2014 assessment of 12 service units and health centers in New Mexico and opportunities for collaboration with the IHS. Ms. Moore concluded by discussing some challenges to the department's tobacco cessation programs, including the diversity of project approaches, personnel changes in tribal programs and the varied levels of technical capacity within the grant programs.

Members of the committee discussed and asked questions concerning the funds provided from the tobacco settlement funds to the IAD, the results of the IAD programs and data collection concerning e-cigarette use.

### **Approval of Minutes**

The minutes of the September meeting of the committee were approved with no objections.

### **New Mexico Poison and Drug Information Center Update**

Dr. Susan Smolinske, director, NMPDIC, gave the committee an update on the center, working through a PowerPoint presentation provided to the committee. She first gave the committee an overview of the prevalence of poisoning across the nation and discussed the growing number of poisoning incidents involving e-cigarettes. Dr. Smolinske discussed the mission of the NMPDIC and the service impacts of the center. She noted that the center was working on a needs assessment of American Indian tribes. She gave the committee a summary of the center's program use and discussed how the NMPDIC saved health care dollars. She noted that 82 percent of the time, if someone calls the center from home, the person can resolve the concern without needing to use a health care facility, for a savings of approximately \$13.5 million. Additionally, the NMPDIC's consultation with health care teams has reduced hospital stays by an average of 3.2 days, translating to a savings of \$36 million in FY 2014. She discussed the NMPDIC's funding sources, noting a reduction in federal dollars, and gave the committee details on the center's expenses. Dr. Smolinske concluded by noting that tobacco settlement funds provided 25 percent of the NMPDIC's funding, providing direct support for 6,700 callers and the means to deliver the center's message to approximately 630,000 New Mexicans and reducing health care expenses by \$12 million.

Members of the committee discussed and asked questions concerning calls to the center that involve illicit drugs and naloxone.

### **Pediatric Oncology Update**

Dr. John Kuttesch, division chief, Pediatric Hematology/Oncology Program, UNM Children's Hospital, discussed pediatric oncology at the UNM HSC, working through a PowerPoint presentation provided to the committee. He gave an overview of childhood cancer in the United States and discussed the mission of pediatric oncology at the UNM HSC, which is the only tertiary care provider of oncology services for infants, children and adolescents in New Mexico. He discussed the Pediatric Hematology/Oncology Program's comprehensive treatment planning and care and its comprehensive clinics and programs. There are referrals to the Pediatric Hematology/Oncology Program from all parts of the state, including a total of 225 referrals from 2010 to 2015. The last fiscal year saw more than 300 active patients and 4,500 clinic and inpatient visits.

Dr. Kuttesch gave an overview of the research being undertaken by the Pediatric Hematology/Oncology Program and the work of the clinical trial teams. He also discussed

education and outreach, including medical student and resident education, professional presentation, and community outreach. He went into some detail about the Young Enduring Survivors Clinic (YES), which provides multidisciplinary follow-up for more than 600 survivors of pediatric malignancies. YES sees over 80 percent of survivors and is currently looking for a donor to build out a clinic space. Dr. Kuttesch also discussed the UNM Mariposa Program, the only pediatric hospice and palliative care group in the state. Mariposa treats both the family and the child and provides care for infants, children and adolescents with life-limiting conditions, not just cancer. A member of the committee discussed Mariposa's volunteers with Dr. Kuttesch. Dr. Kuttesch concluded by discussing the UNM Pediatric Hematology/Oncology Program's FY 2015 budget.

### **Smoke-Free Policies in Multi-Unit Housing**

Terry Huertaz, executive director, American Lung Association in New Mexico (ALANM), and JoAnna Strother, director of programs, ALANM, discussed smoke-free policies in multi-unit housing in the state, working through a PowerPoint presentation provided to the committee. Ms. Huertaz stated that the ALANM serves the entire state and receives many calls concerning smoke-free housing. Ms. Strother gave an overview of the work of the Smoke-Free@Home Program, focusing on FY 2012 through FY 2015. She discussed the progress that has been made in creating smoke-free spaces in society and the benefits that have flowed from these changes. She noted that 81 percent of New Mexicans are nonsmokers. She then discussed the work the ALANM has done in conjunction with partners in the community in recent years to map multi-unit housing in the state and create a market demand survey and to integrate those data. The ALANM has found that 72 percent of New Mexico renters favor nonsmoking policies where they live. Ms. Strother discussed the ALANM's outreach and education efforts in this area and highlighted that 29 properties representing more than 3,800 units are smoke-free and that the New Mexico Mortgage Finance Authority (MFA) gives a two-point tax credit for properties that will be nonsmoking properties. She discussed recent recipients of the Lung Champion Award and the ALANM's work with public housing authorities statewide.

Members of the committee discussed and asked questions concerning the MFA tax credit.

### **Nor-Lea General Hospital and Cigarette Tax Revenue Funding for Cancer Treatment Centers**

David Shaw, chief executive officer, Nor-Lea General Hospital, discussed rural county cancer treatment funding and the work of Nor-Lea General Hospital, working through a PowerPoint presentation provided to the committee. He gave some background to the committee on the cancer treatment provided by Nor-Lea General Hospital, and he gave the committee an overview of the hospital's funding, including a 2009 hospital improvement loan secured and repaid by the rural county cancer treatment cigarette tax. He discussed the expansion of treatment by Nor-Lea Cancer Center since its founding in 2006, including an increase of more than 3,000 procedures since initial funding. He also discussed Nor-Lea Cancer Center's regional reach, which includes caring for cancer patients in southeastern New Mexico and west Texas.

Mr. Shaw discussed the role of volunteers in the cancer center's work and thanked the legislature for the dollars provided from cigarette tax funds.

Members of the committee discussed and asked questions concerning funding for Nor-Lea General Hospital, the possibilities of collaboration with and utilization of the resources of the UNM CCC and telemedicine.

**Public Comment**

Teresa Gomez with the Gynecological Cancer Awareness Project is an ovarian cancer survivor and noted the importance of prevention, the need to raise awareness and increasing education concerning cancer. She applauded the committee's efforts in preventing tobacco use.

Shelah Roanhorse, a volunteer with the American Cancer Society Cancer Action Network, thanked the committee and the IAD for their work on tobacco cessation.

**Adjournment**

There being no further business before the committee, the TSROC adjourned at 3:51 p.m.